

---

**SIMON & KOERNER LLP**  
**ATTORNEYS AT LAW**

---

10052 Pasadena Avenue, Suite B, Cupertino, CA 95014  
Telephone (408) 873-3941, Facsimile (408) 873-3945

**RECEIVED**  
**CENTRAL FAX CENTER**

MAR 26 2004

**FACSIMILE COVER SHEET**

**To:** United States Patent and Trademark Office  
Attn: Examiner Kang in Art Unit 2874

**OFFICIAL**

**Fax Number:** 703-872-9306

**From:** Nancy R. Simon  
**Phone Number:** (408) 873-3941  
**Fax Number:** (408) 873-3945

**Date:** March 26, 2004

**Total pages:** 9 (includes cover sheet)

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. THANK YOU.

**Message:** RE: U.S. Patent Application 09/591,443

An Amendment Under 37 CFR 1.116 (7 pages) and a transmittal form (1 page) for the above-identified patent application are attached for your review. If you have any questions, please do not hesitate to contact me.

Sincerely,

Nancy R. Simon

PTO/SB/21 (03-03)

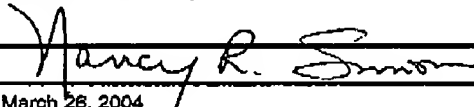
Approved for use through 04/30/2003, OMB 0851-0031

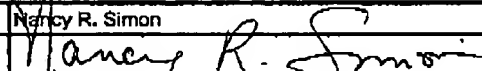
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|  |                      |                        |            |
|--|----------------------|------------------------|------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> | Application Number   | 09/591,443             |            |
|  | Filing Date          | June 9, 2000           |            |
|  | First Named Inventor | Lacey, Jonathan        |            |
|  | Art Unit             | 2874                   |            |
|  | Examiner Name        | Kang, Juliana          |            |
| Total Number of Pages in This Submission   | 9                    | Attorney Docket Number | 10991507-1 |

| ENCLOSURES (Check all that apply)  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form                                | <input type="checkbox"/> Drawing(s)                                       | <input type="checkbox"/> After Allowance Communication to a Technology Center (TC)      |
| <input type="checkbox"/> Fee Attached  | <input type="checkbox"/> Licensing-related Papers                         | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences     |
| <input checked="" type="checkbox"/> Amendment/Reply                          | <input type="checkbox"/> Petition   | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input checked="" type="checkbox"/> After Final                              | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information  |
| <input type="checkbox"/> Affidavits/declaration(s)                           | <input type="checkbox"/> Power of Attorney, Revocation                    | <input type="checkbox"/> Status Letter  |
| <input type="checkbox"/> Extension of Time Request                           | <input type="checkbox"/> Change of Correspondence Address                 | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):         |
| <input type="checkbox"/> Express Abandonment Request                         | <input type="checkbox"/> Terminal Disclaimer                              | Fax Cover Sheet   |
| <input type="checkbox"/> Information Disclosure Statement                    | <input type="checkbox"/> Request for Refund                               |   |
| <input type="checkbox"/> Certified Copy of Priority Document(s)              | <input type="checkbox"/> CD, Number of CD(s) _____                        |   |
| <input type="checkbox"/> Response to Missing Parts/Incomplete Application    | Remarks   |   |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 |   |   |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |   |
|--|---|
| Firm or Individual                         | Nancy R. Simon, Reg. No. 36,930   |
| Signature                                  |  |
| Date                                       | March 26, 2004  |

| CERTIFICATE OF TRANSMISSION/MAILING   |   |                     |
|---|---|---------------------|
| I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, fax number (703) 872-9306, on this date: <u>March 26, 2004</u> |   |                     |
| Typed or printed  | Nancy R. Simon  |                     |
| Signature   |  | Date March 26, 2004 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

MAR 26 2004

OFFICIAL

In Re Application of:

JONATHAN P.R. LACEY

Serial No.: 09/591,443

Filed: JUNE 9, 2000

For: OPTICAL ADD/DROP SWITCH  
UTILIZING A MINIMAL NUMBER  
OF SWITCHING CROSSPOINTS

Attorney Dkt: 10991507-1

Examiner: J. KANG

Group Art Unit: 2874

AMENDMENT UNDER 37 CFR § 1.116

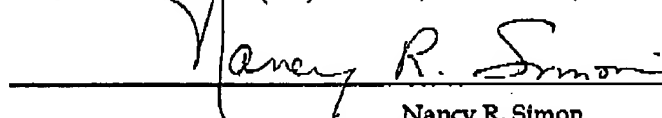
Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the office action mailed January 28, 2004, please amend the above-identified application as follows. Please charge any fees necessary for prosecution of the present application to deposit account no. 50-1443.

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office fax number (703) 872-9306, on March 26, 2004.

  
Nancy R. Simon